

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	:	<b>CRIMINAL NO. 1:02-CR-0295</b>
	:	
v.	:	<b>(Judge Conner)</b>
	:	
<b>VINCENT ELLIS WILSON</b>	:	

**ORDER**

AND NOW, this 31st day of January, 2006, upon consideration of defendant's motion (Doc. 520) to vacate the sentence imposed by this court on February 4, 2005, and defendant's election form (Doc. 526), electing to have the court rule upon the motion under 28 U.S.C. § 2255, and it appearing that the motion was filed within the prescribed limitations period, see 28 U.S.C. § 2255 ("A 1-year period of limitation shall apply to a motion under this section."); United States v. Davies, 394 F.3d 182, 186 n.2 (3d Cir. 2005) (stating that, where the defendant has taken a direct appeal, the § 2255 limitations period begins to run "on the later of (1) the date on which the Supreme Court affirms the conviction and sentence on the merits or denies the defendant's timely filed petition for certiorari, or (2) the date on which the defendant's time for filing a timely petition for certiorari review expires" (citing Kapral v. United States, 166 F.3d 565, 577 (3d Cir. 1999))), it is hereby ORDERED that:

1. The Clerk of Court is directed to serve a copy of the motion (Doc. 520) on the United States Attorney.

2. The United States Attorney shall file an answer to the motion (Doc. 520) on or before February 15, 2006. See R. GOVERNING § 2255 CASES R. 4(b), 5.

/s/ Christopher C. Conner  
CHRISTOPHER C. CONNER  
United States District Judge